

REMARKS

Claims 20-33 were pending in the Application. Applicant has canceled claims 20-33 and have added claims 34-40. Claims 34-40 have been added to more distinctly claim Applicant's invention and are directed to a novel method of "providing an emergency contact information of a customer using a telematics device embedded in a customer vehicle during an emergency associated with the customer vehicle." New claims 34-40 are directed to a subject matter distinctly different from canceled claims 20-33.

In the Office Action, the Examiner has rejected claims 20-33 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, and under 35 U.S.C. §103(a) as being unpatentable over Kennedy III et al. (USP 6,535,743) in view of Suman et al. (USP 6,028,537) and further in view of "InfoGation Corp. Introduces Productivity, Navigation, Safety and Communication Software Applications for Next-Generation Smart Car System". Applicant submits that these rejections are rendered moot in view of the claim amendments herein.

Moreover, the Examiner objected to the drawings under 37 CFR 1.83(a) and objected to claims 21 and 28 under 37 CFR 1.75 as being a substantial duplicate of claims 20 and 27. Again, in view of the claim amendments made herein, Applicant submits that these objections are rendered moot.

Independent claims 34 now reads (with emphasis added):

A method of providing an emergency contact information of a customer using a telematics device embedded in a customer vehicle during an emergency associated with the customer vehicle, the method comprising:

accessing the telematics device embedded in the customer vehicle during the emergency associated with the customer vehicle;

establishing a communication link between the telematics device and a virtual garage, wherein the virtual garage comprises at least one server on the Internet and wherein the virtual garage stores the emergency contact information of the customer;

retrieving the emergency contact information of the customer from the virtual garage using the telematics device;

transmitting the emergency contact information of the customer to a Public Service Answering Point, wherein the emergency contact information is transmitted from the telematics device embedded in the customer vehicle to the Public Service Answering point.

To address any anticipated 35 U.S.C. §112 issues, Applicant submits that independent claim 34 is fully supported in the specification, in particular pages 18-20. For example, the specification discloses (1) "accessing the telematics device embedded in the customer vehicle during the emergency associated with the customer vehicle" (e.g., page 19, lines 4-5 "on-board data application can be implemented using telematics device embedded in the vehicle" and page 20, lines 5-7 "[d]uring an emergency roadside situation associated with the customer's vehicle 500, the customer can access the on-board database"); (2) "establishing a communication link between the telematics device and a virtual garage, wherein the virtual garage comprises at least one server on the Internet and wherein the virtual garage stores the emergency contact information of the customer" (e.g., page 20, lines 7-11 "the customer will use an on-board (vehicle) embedded device...to obtain the pertinent information and/or to access the virtual garage 36. The customer can then quickly and efficiently retrieve...emergency contact, etc. information"); (3) retrieving the emergency contact information of the customer from the virtual garage using the telematics device (e.g., page 20, lines 7-11 "the customer will use an on-board (vehicle) embedded device...to obtain the pertinent information and/or to access the virtual garage 36. The customer can then quickly and efficiently retrieve...emergency contact, etc. information"); and (4) "transmitting the emergency contact information of the customer to a Public Service Answering Point, wherein the emergency contact information is transmitted from the telematics device embedded in the customer vehicle to the Public Service Answering point" (e.g., page 20, lines 14-17 "when the customer requests an emergency 911 service using the telematics device 60, the customer can transmit the on-board data to a Public Service Answering Point. In this manner, the Public Service Answering Point will have the on-board data for the customer in order to provide the most optimal service"). There should be no question as to whether claim 34 complies with the requirements of 35 U.S.C. §112.

Applicant submits that the newly added claims are not anticipated or rendered obvious by Kennedy, Suman, and InfoGation, alone or in combination. For example, there are no teachings in these cited references directed to (1) retrieving emergency contact information using a telematics device embedded in the vehicle during an emergency associated with the vehicle and (2) transmitting the emergency contact information of the customer to a Public Service Answering Point using the telematics device embedded in the vehicle. Kennedy, Suman, and InfoGation nowhere teaches that the emergency contact information of the customer is

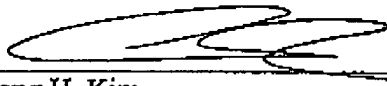
transmitted to the Public Service Answer Point using the telematics device and retrieving the same emergency contact information from a virtual garage by the telematics device. These cited references disclose a person making a 911 call, but does not disclose at all the telematics device embedded in the vehicle retrieving emergency contact information from the virtual garage and thereafter transmitting the same emergency contact information to the Public Service Answering Point. Applicant's new claims are directed to transmitting and retrieving emergency contact information and expressly excludes medical information.

Dependant claims 35-40 depend on independent claim 34, and thus, for the same reasons stated above, Applicant submits that these claims are not anticipated or rendered obvious by the cited references.

In view of the foregoing, Applicant respectfully traverses the Examiner's rejection of the pending claims and requests favorable action on the merits. If any issues remain which the Examiner feels may be resolved through a telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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REPLY TO CUSTOMER NO. 27498